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Remarks/Arguments

1. Introduction

Claims 17-37 are currently pending in the application. Claims 17, 22, and 27 are amended herein to clarify the claim language. For at least the reasons stated below, Applicant asserts that all claims are now in condition for allowance.

2. Claim Rejections Under 35 U.S.C. § 112

Claims 17-31 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. In response, Applicant has amended claims 17, 22, and 27 to clarify the claimed subject matter, as suggested by the Examiner. Accordingly, Applicant asserts that the rejection under 35 U.S.C. § 112, second paragraph is moot, and requests withdrawal of the rejection.

3. Claim Rejections Under 35 U.S.C. § 103

Claims 17-31 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Sekizawa, U.S. Patent No. 6,430,711 B1 (hereinafter "*Sekizawa*") and Haluska, U.S. Patent No. 5,638,519 (hereinafter "*Haluska*"). Applicant disagrees that the cited art teaches or suggests all elements of the claims as amended. Specifically, *Sekizawa* fails to disclose or suggest the solicitation of feedback responses from separate users of the supply chain framework, and fails to disclose the receipt of notices for recommended maintenance as a mechanism to schedule framework maintenance by the framework manager.

Applicant asserts that *Sekizawa* and *Haluska* do not teach or suggest all elements of the presently claimed invention. As the Examiner agrees, *Sekizawa* fails to disclose or suggest all limitations of Applicant's claims, as amended. The Applicant further asserts, however, that *Sekizawa* teaches far less than the Examiner has stated. *Sekizawa* discloses a method for monitoring printer status on a network, allowing a user to of the invention to review generated status reports of individual network connected entities. See *Sekizawa* at, e.g., Abstract, col. 2, l. 65 – col. 3, l. 59. As part of the invention disclosed in *Sekizawa*, the monitoring interface includes two separate monitoring devices on separate networks, a local monitoring device on a local network that is connected to the peripheral devices monitored, and an integrated monitoring device to which the local monitoring device

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communicates unidirectionally. See *id.* at Figure 1 (demonstrating unidirectional communication from notation 2a to notation 20); Col. 2, l. 63 – Col. 3, l. 9 (describing unidirectional communication from local monitoring device to integrated monitoring device). The local and integrated monitoring devices are part of the same system, and are not separate users of the disclosed network. Additionally, on a fundamental level the *Sekizawa* invention does not disclose a network-based supply chain environment, as there is only unidirectional communication from the peripheral device to the local monitoring device to the integrated monitoring device. *Id.* There is no separate distinct second user. Assuming *arguendo* that *Sekizawa* discloses a supply-chain framework, only a single user is prevalent -- the peripheral devices that send information to the local monitoring device on inquiry from the local monitoring device. *Id.* There is no second independent user of the invention described in *Sekizawa*, and as such *Sekizawa* fails to teach or disclose two separate framework users recommending and requesting maintenance individually and exclusively.

Looking to the claims as presently amended, the claimed invention is not obvious in light of *Sekizawa* and *Haluska* because those cited references do not disclose two separate users active in the framework managed by the framework manager. For example, Claim 17(a) and 17(b), as amended, recite two separate and distinct operational framework users not contemplated, disclosed, or suggested in *Sekizawa*. While it is arguable whether there is a framework and the submission of requests for maintenance, there is no separate disclosure from a separate framework user suggesting or recommending maintenance. None of the citations provided in the Office action suggest a second framework user. Further, the citations provided (see Office Action page 6 at paragraph 2 (discussing claim 17(b))) do not teach or suggest a user providing suggestion or recommendation of such maintenance as there is no contemplation of a second user. Those citations disclose providing information to a manufacturer regarding the status of the peripheral devices, but there is no communication from the manufacturer recommending maintenance. See *id.* at col. 9, ll. 30-40 (suggesting that integrated monitor could send information to the manufacturer/supplier of peripheral machine requirements); col. 19, ll. 1-15 (disclosing only that integrated monitor could be maintained by manufacturer of network printer); col. 26, ll. 10-20 (only disclosing the first framework user); col. 2, l. 50 – col. 3, l. 25 (disclosing unidirectional communication between one user and monitoring system, without second independent user); col. 4, ll. 50-65 (transmission of information by first user of the system requesting, not suggesting, maintenance); col. 5, ll. 40-50 (same); col. 6, ll. 55-65 (inapplicable, as the cited section discusses communicating to the first framework user that

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the peripheral device is inoperative). Such action is not suggested by *Sekizawa* because there is not conduit by which a second user could send such a recommendation.

Sekizawa also fails to disclose or suggest a framework manager, which, in the course of performing maintenance to the managed framework, submits feedback requests to the framework users as claimed by Applicant. *Sekizawa* discloses only: (1) obtaining information from the first user of the supply chain framework when the peripheral device is not already registered with the local monitoring device; (2) sending a response in answer to a request from the first user. See *id.* at Figures 4, 9-12, and 30 (depicting the prompt for first user information regarding peripheral devices if not already in the system); col. 7, ll. 59-67 (sending response to first user request, but not a solicitation); col. 19, ll. 34-45 (no response sent from a separate user); col. 20, l. 40 – col. 21, l. 10 (no solicitation of feedback); col. 23, ll. 1-30 (transmitting information to the integrated monitor only); col. 33, ll. 35-65 (disclosing on the receipt of information by the integrated monitor); col. 34, l. 55 – col. 35, l. 25 (disclosing only the processing of received information by the integrated monitor). Solicitation of the user does not occur if a peripheral device is registered. Additionally, there is no additional solicitation sent to a second framework user. Any maintenance that is performed is not accompanied by requests for feedback on such maintenance. As claimed, Applicant's invention discloses the solicitation of feedback from users of the framework after each maintenance event has occurred. See claim 17(f); claim 22(f); and claim 27(f).

The modification of *Sekizawa* with the teachings of *Haluska* fails to disclose or suggest all of the limitations of Applicant's claims, as amended. *Haluska* is directed toward a general interface for information related to business transactions. More importantly, *Haluska* does not teach the concepts of feedback and input from multiple different users. Thus, the rejection of independent claims 17, 22, and 27 with the combination of *Sekizawa* and *Haluska* is improper. Applicant requests reconsideration and withdrawal of the rejection.

C. The Remaining Dependent Claims Are Also in Condition for Allowance

Applicant also submits that the rejections of dependent claims 18, 21, 23, 26, 28, 31 through 37 should be withdrawn as they depend on independent claims 17, 22, and 27. "If an independent claim is nonobvious under 35 U.S.C. [§] 103, then any claim depending therefrom is nonobvious." MPEP § 2143.03, ¶ 1. Because independent claims 17, 22, and

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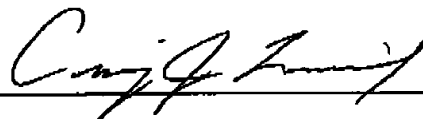
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27 are nonobvious, the claims depending from them are likewise nonobvious. The Applicant submits that all independent claims are in condition for allowance, the rejection of such dependent claims is improper, and Applicant respectfully requests the rejections be withdrawn.

4. Conclusion

Applicant submits that for at least the reasons stated above, all pending claims are allowable over the art of record and respectfully requests reconsideration and that a Notice of Allowance be issued in this case. In the event a telephone conversation would expedite the prosecution of this application, the Examiner may reach the undersigned at (612) 607-7387. If any fees are due in connection with the filing of this paper, then the Commissioner is authorized to charge such fees including fees for any extension of time, to Deposit Account No. 50-1901 (Docket 60021-336701).

Respectfully submitted,



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